AUG 0 3 2010

MARC HAMLIN, DIST CLERK
BY AUG COUNTY, Texas

No. 09-02494-CRF-272

STATE OF TEXAS	§	IN THE DISTRICT COURT
	§	
V	§	OF BRAZOS COUNTY
	§	
GREGG BAIRD	§	272 nd JUDICIAL DISTRICT

DEFENDANT-APPELLANT'S REQUEST FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW ON DENIED MOTION TO SUPPRESS EVIDENCE

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, Gregg Baird, Defendant-Appellant in the above styled and numbered cause and files this request for findings of fact and conclusions of law on any denied motion to suppress evidence and would show this honorable Court the following:

I.

Defendant-Appellant was convicted of ten counts of possession of child pornography. The sentences were imposed in open court on July 29, 2010. Timely notice of appeal to the Tenth Court of Appeals is being filed simultaneously with this motion.

H.

On February 26, 2010 the trial court denied a motion to suppress evidence filed by defendant-appellant.

III.

As the non-prevailing party on the motion to suppress, defendant-appellant hereby files his request for the trial court to make findings of fact and conclusions of law adequate to provide an appellate court with a basis upon which to review the trial court's application of the law to the facts upon denying the motion to suppress.

The requirement to make such findings and conclusions upon request of the non-prevailing party is recognized in <u>State v. Cullen</u>, 195 S.W.3d 696, 699 (Tex.Crim.App. 2006). Upon request of the non-prevailing party, a trial court has twenty days to enter findings and conclusions. <u>Cullen</u>, 195 S.W.3d at 699. The failure to enter requested findings and conclusions will result in abatement by the appellate court to the trial court for entry of the findings and conclusions. <u>Blocker v. State</u>, 231 S.W.3d 595, 598 (Tex. App. – Waco 2007, no pet.).

WHEREFORE, PREMISES CONSIDERED, defendant-appellant respectfully requests the entry of written findings and conclusions on any motion to suppress evidence denied by the trial court in the litigation of the above styled and numbered cause. Defendant-appellant further requests that such findings and conclusions be filed with the clerk among the papers of the cause.

Respectfully submitted,

Richard E. Wetzel

State Bar No. 21236300

1411 West Ave., Suite 100 Austin, Texas 78701

(512) 469-7943 (512) 474-5594

Attorney for Appellant Gregg Baird

CERTIFICATE OF SERVICE

This is to certify a true and correct copy of this pleading was mailed to Counsel for the State of Texas, Shane Phelps, Assistant District Attorney, 300 E. 26th Street, Ste. 310, Bryan, Texas, 77803, on this the 2nd day of August, 2010.

Richard E. Wetzel

NO. 09-02492-CRF-272 NO. 09-02493-CRF-272 NO. 09-02494-CRF-272 NO. 09-02495-CRF-272 NO. 09-02496-CRF-272 NO. 09-02497-CRF-272

NO. 09-02498-CRF-272



STATE OF TEXAS	§ IN THE DISTRICT COURT	1
	§	
VS.	§ BRAZOS COUNTY, TEXAS	S
	0	

GREGG BAIRD

272ND JUDICIAL DISTRICT

<u>DEFENDANT'S OBJECTION TO FINDINGS OF FACT AND</u> <u>CONCLUSIONS OF LAW</u>

To the findings of fact three (3), Dawn Killian's testimony was not consistently credible as can be seen in page thirty-five (35) of the preliminary transcript where the State's expert admits that she had to change the setting in the computer so that she could see thumbnail images of what was child pornography. Furthermore, on page forty (40) of the preliminary transcript her claim that she dragged music onto the computer was, according to the State's own expert, not supported by the evidence. Furthermore, the State's own expert indicated that there was no music deleted off of the computer that night. This would completely undermine the testimony of Dawn Killian.

No objection to five (5).

No objection to six (6).

No objection to seven (7).

No objection to eight (8).

No objection to nine (9).

To the findings of fact ten (10), Gregg Baird placing a limitation or restriction on Dawn Killian's access to his computer, nor did he give her permission to utilize that computer.



CASE No. 09-02494-CRF-272 COUNT ONE INCIDENT NO./TRN: 9127679136

V. GREGG BAIR STATE ID NO.: TXC	AUG 1 8 2010	§ IN THE 272 ND DISTRICT § COURT § BRAZOS COUNTY, TEXAS §	and the second
JUDGM	MENT OF CONVICTION B	Y COURT—WAIVER OF JURY TRL	AL
Judge Presiding:	HON. TRAVIS BRYAN, III	Date Judgment 7/29/2010 Entered:	
Attorney for State:	SHANE PHELPS AND RAY THOMAS	Attorney for Defendant: JIM JAMES	
Offense for which Do			
Charging Instrument		Statute for Offense: 43.26(a) Penal Code	
Date of Offense: 5/13/2009		D II III	
Degree of Offense: 3RD DEGREE	FELONY	Plea to Offense: Findings on Deadly W. GUILTY N/A	еароп:
Terms of Plea Barga	PLEA TO COURT		
Plea to 1st Enhancer Paragraph:		ea to 2 nd Enhancement/Habitual gragraph: N/A	
Findings on 1st Enh	ancement Fi	ndings on 2 nd nhancement/Habitual Paragraph: N/A	
Paragraph:	5		- 111
Date Sentence Impo	Josed. (720/2010		
Punishment and Pla of Confinement:	I DM(IO) I DAMO INDILLO	TIONAL DIVISION, TDCJ	COLINE
TWO TO RUN	J CONSECUTIVELY TO COUN'	TH COUNTS 4-10 OF THIS CAUSE NUMBER T ONE (see Count Two Judgment). COUNT OUNT TWO (See Count Three Judgment).	THREE
		ENDANT PLACED ON COMMUNITY SUPERVISION FOR	N/A .
Fine: \$ 0.00	Court Costs: Restitut \$ \$		
Sex Offender Reg		Defendant. TEX. CODE CRIM. PROC. chapter 62	
The age of the victir	m at the time of the offense was N/A . efendant is to serve sentence in TDCJ, enter in	respection pariods in chronologies order	
		2010 to 7/29/2010 From to	
Time From	m to From to	From to	
Credited: If De	efendant is to serve sentence in county jail or is DAYS NOTES: N/A	given credit toward fine and costs, enter days credited below.	
All pertinent informat	tion, names and assessments indicated above are	incorporated into the language of the judgment below by reference	
	was called for trial in Brazos County, Te Waiver of Counsel (select one)	xas. The State appeared by her District Attorney.	
☐ Defendant appe ☐ Defendant know Both parti	ared in person with Counsel. vingly, intelligently, and voluntarily waive les announced ready for trial. Defendant v	ed the right to representation by counsel in writing in open of valved the right of trial by jury and entered the plea indicate appeared to the Court that Defendant was mentally compare of the consequences of this plea. The Court received the	etent to
	baird,g09-02494-crfct.	Page 1 of 2	



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entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. Code Crim. Proc. art. 42.12 § 9.

The Court Orders Defendant punished as indicated above. The Court Orders Defendant to pay all fines, court costs, and

restitution as indicated above.

Punishment Options (select one) Confinement in State Jail or Institutional Division. The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court Orders that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

County Jail-Confinement / Confinement in Lieu of Payment. The Court ORDERS Defendant immediately committed to the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

☐ Fine Only Payment. The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Brazos County District Clerk. Once there, the Court Orders Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

☐ The Court Orders Defendant's sentence EXECUTED.

☐ The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

The Court FINDS that, with the consent of the State's attorney, Defendant admitted guilt as to the following unadjudicated offense(s), and the Court agreed to take the unadjudicated offense(s) into account in determining the sentence for the offense of which Defendant was adjudged guilty. Accordingly, the Court FINDS prosecution is barred for the following unadjudicated offense(s): Possession of Child Pornography, Cause No. 09-02494-CRF-272 Counts 11-13; Possession of Child Pornography, Cause No. 09-02492-CRF-272 Counts 1-4; Possession of Child Pornography, Cause No. 09-02493-CRF-272 Counts 1-3; Possession of Child Pornography, Cause No. 09-02495-CRF-272 Counts 1-20; Possession of Child Pornography, Cause No. 09-02496-CRF-272 Counts 1-20; Possession of Child Pornography, Cause No. 09-02497-CRF-272 Counts 1-20; Possession of Child Pornography, Cause No. 09-02498-CRF-272 Counts 1-20. TEX. PENAL CODE §12.45.

Signed and entered on the

2010

JUDGE PRESIDING



CASE No. 09-02494-CRF-272

AUG 1 8 2010

INCIDENT NO./TRN: 9127679136

			A 400 1 0 200
THE STATE OF	Tryac	S IN TH	IE 272ND DISTRICT TO SEPTIMENT OF THE PROPERTY
INEGIATEOF	ILAAS	§ IN TH	By Wos O'N AND
V.		§ Cour	lT)
GREGG BAIR	D		ZOS COUNTY, TEXAS
STATE ID No.: TX	04840330	§ §	
Judgm	MENT OF CONVICTION BY	COURT—W	VAIVER OF JURY TRIAL
Judge Presiding:	HON. TRAVIS BRYAN, III	Date Judgment Entered:	7/29/2010
Attorney for State:	SHANE PHELPS AND RAY THOMAS	Attorney for Defendant:	JIM JAMES
Offense for which De	efendant Convicted:		WALLES THE THE TAXABLE TO THE TAXABL
POSSESSION (OF CHILD PORNOGRAPHY		
Charging Instrumen INDICTMENT	<u>t:</u>	Statute for Offense: 43.26(a) Penal (⁷ ode
Date of Offense:	740.9	45.20(a) 1 enai (Joue
5/13/2009			
Degree of Offense: 3RD DEGREE 1		Plea to Offense: GUILTY	Findings on Deadly Weapon: N/A
Terms of Plea Bargar		GUILITI	IN/A
	LEA TO COURT		
Plea to 1st Enhancem		to 2nd Enhancement/	Habitual
Paragraph:		graph:	N/A
Findings on 1st Enha Paragraph:		ings on 2 nd ancement/Habitual Pa	aragraph: N/A
Date Sentence Impos	ed: 7/29/2010 Date	Sentence to Commer	nce: 7/29/2010
Punishment and Plac of Confinement:	FIVE(5) YEARS INSTITUTI	ONAL DIVISIO	N, TDCJ
	THIS SENTENCE SHALL RUN CC	NSECUTIVELY	Y (see below).
SENTENCE	OF CONFINEMENT SUSPENDED, DEFEN	DANT PLACED ON C	COMMUNITY SUPERVISION FOR N/A .
Fine;	Court Costs: Restitution		
\$ 0.00	\$ \$		(see below) AGENCY/AGENT (see below)
Sex Offender Regis	tration Requirements apply to the Def	endant. TEX. CODE (CRIM. PROC. chapter 62
	at the time of the offense was .		
	endant is to serve sentence in TDCJ, enter incare		
Time	6/11/2009 to 6/18/2009 From 7/29/201		From to
Credited:	to From to	From to	
If Defe	endant is to serve sentence in county jail or is give	en credit toward fine an	id costs, enter days credited below.
All mantinent in faculti-	DAYS NOTES: N/A	- Innumer	
	n, names and assessments indicated above are inc as called for trial in Brazos County, Texas.		
	aiver of Counsel (select one)	The State appeared	by her District Attorney.
Defendant appear	ed in person with Counsel.		
Defendant knowing	igly, intelligently, and voluntarily waived the	he right to representa	tion by counsel in writing in open court.
The Court then admor	announced ready for trial. Defendant waivnished Defendant as required by law. It ap	rea the right of trial b	by jury and entered the plea indicated above,
stand trial, made the	plea freely and voluntarily, and was aware	of the consequences of	of this plea. The Court received the plea and
entered it of record. F	Iaving heard the evidence submitted, the C	ourt found Defendant	t guilty of the offense indicated above. In the
presence of Defendant	t, the Court pronounced sentence against D	efendant.	

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v.

Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 10-00

COUNT THREE CASE No. 09-02494-CRF-272

INCIDENT NO./TRN: 9127679136

§

§

§

§

IN THE 272ND DISTRICT §

AUG 1 8 2010

BRAZOS COUNTY, TEXAS

COURT

STATE ID No.: TX04840330

GREGG BAIRD

THE STATE OF TEXAS

JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL Date Judgment

Judge Presiding:	HON, TRA	VIS BRYAN, I	II	Entered:	7/29/2	2010
Attorney for State	SHANE PHELPS AND RAY THOMAS			Attorney for Defendant:	JIM J	JAMES
Offense for which	Defendant Convi	cted:				
POSSESSIO	OF CHILD	PORNOGRAL		10.0		
Charging Instrum INDICTMEN				tatute for Offe 3.26(a) Per		
Date of Offense: 5/13/2009						Findings on Deadly Weapon:
Degree of Offense 3RD DEGRE				lea to Offense: UILTY		N/A
Terms of Plea Ba	rgain: I PLEA TO C	OURT				
Plea to 1st Enhan Paragraph:	cement	N/A	Parag	raph:	ment/Habitual	N/A
Findings on 1st E Paragraph:	nhancement	N/A	Findi Enha	ngs on 2 nd ncement/Habit	tual Paragraph:	N/A
Date Sentence Imposed: 7/29/2010 Date Sentence to Commence: 7/29/2010						
Punishment and of Confinement:		10) YEARS IN				1
	THIS	SENTENCE SHA	LL RUN CO	NSECUTIV	ELY (see be	low).
SENTEN	TANDA DA A CODA ON COMMUNITY SUPERVISION FOR TEN(10)					
Fine: \$ 0.00		Court Costs:	Restitution \$			AGENCY/AGENT (see below)
		uirements apply		endant. TEX.	CODE CRIM. PROC.	. chapter 62
The age of the vi	ctim at the time o	f the offense was I	V/A			
Time	If Defendant is to se From 6/11/2009 to From to	rve sentence in TDC 6/18/2009 From	to	0 to 7/29/2010 From	From	er days credited below.
	DAVE	NOTES: N/A				udgment below by reference.
All pertinent infor	mation, names and i	Mancesticare indicate		W. S. D. W. C. S.	-	

This cause was called for trial in Brazos County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court. Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and

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entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. CODE CRIM. PROC. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

Punishment Options (select one) Confinement in State Jail or Institutional Division. The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court Orders that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court County Jail—Confinement / Confinement in Lieu of Payment. The Court ORDERS Defendant immediately committed to above. the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above. Fine Only Payment. The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Brazos County District Clerk. Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause. Execution / Suspension of Sentence (select one) The Court Orders Defendant's sentence EXECUTED. The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this

judgment by reference. The Court Orders that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

The Court ORDERS that the sentence in this conviction shall run consecutively and shall begin only when the judgment and sentence in the following case has ceased to operate: 09-02494-CRF-272 COUNT TWO. TEX. CODE CRIM. PROC. art. 42.01 § 1(19).

Signed and entered on the

JUDGE PRESIDING

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Page 2 of 2

Offense for which Defendant Convicted: Terms of Plea Bargain: NONE-OPEN PLEA TO COURT Plea to 1st Enhancement Plea to 2nd Enhancement/Habitual N/A N/A Paragraph: Paragraph: Findings on 2nd Findings on 1st Enhancement N/A N/A Enhancement/Habitual Paragraph: Paragraph: 7/29/2010 7/29/2010 Date Sentence to Commence: Date Sentence Imposed: Punishment and Place TEN(10) YEARS INSTITUTIONAL DIVISION, TDCJ of Confinement: THIS SENTENCE SHALL RUN CONCURRENTLY WITH COUNT ONE OF THIS CAUSE NUMBER. SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A YEARS. Court Costs: Restitution Payable to: Restitution: Fine: ☐ VICTIM (see below) ☐ AGENCY/AGENT (see below) \$ 0.00 \$ \$ Sex Offender Registration Requirements apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62 The age of the victim at the time of the offense was N/A If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order. From 7/29/2010 to 7/29/2010 From 6/11/2009 to 6/18/2009 Time From From From Credited: If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below, DAYS NOTES: N/A All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference. This cause was called for trial in Brazos County, Texas. The State appeared by her District Attorney. Counsel / Waiver of Counsel (select one) Defendant appeared in person with Counsel. Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court. Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above.

baird,g09-02494-crfct4Page 127

presence of Defendant, the Court pronounced sentence against Defendant.

The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the



Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 11 of 29

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. Code Crim. Proc. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

Punishment Options (select one)

Confinement in State Jail or Institutional Division. The Court Orders the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court Orders Defendant to be confined for the period and in the manner indicated above. The Court Orders Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court Orders that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court

above.

County Jail—Confinement / Confinement in Lieu of Payment. The Court Orders Defendant immediately committed to the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court Orders that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

Fine Only Payment. The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Brazos County District Clerk. Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

The Court ORDERS Defendant's sentence EXECUTED.

The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court Orders that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Signed and entered on the

y of ______,

JUDGE PRESIDING



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CASE No. 09-02494-CRF-272 COUNT FIVE INCIDENT NO./TRN: 9127679136

AUG 1 8 2010

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	INCID	DIVI 140./ 11014. 022	11010133	AUG 1 0 2010
THE STATE OF	Texas	§	In The 272 ND	DISTRICT AND COMPANY OF THE PROPERTY OF THE PR
v.	(A)	» «	COURT	J
GREGG BAIR	D	\$ §	BRAZOS Cour	NTY, TEXAS
STATE ID No.: TX0	4840330	§		
JUDGM	IENT OF CONVICTIO		A STATE OF THE PARTY OF THE PAR	OF JURY TRIAL
Judge Presiding:	HON. TRAVIS BRYAN, III	Date Jud Entered:	gment 7/29/2	2010
Attorney for State:	SHANE PHELPS AND F THOMAS	AX Attorney Defendan		JAMES
Offense for which De				
POSSESSION (OF CHILD PORNOGRAPI	ΗY	- Z	
Charging Instrumen INDICTMENT	<u>t:</u>	Statute for 43.26(a)	Offense: Penal Code	
<u>Date of Offense:</u> 5/13/2009				
Degree of Offense: 3RD DEGREE	EDI ONV	Plea to Offe GUILTY	nse:	Findings on Deadly Weapon: N/A
Terms of Plea Barga		GOIDII		
	LEA TO COURT			THE RESERVE THE PARTY OF THE PA
Plea to 1st Enhancen	nent		incement/Habitual	NT/A
Paragraph:	N/A	Paragraph:		N/A
Findings on 1st Enha Paragraph:	nncement N/A	Findings on 2 nd Enhancement/H	Iabitual Paragraph:	N/A
Date Sentence Impo	sed: 7/29/2010	Date Sentence t	o Commence: 7/29	9/2010
Punishment and Pla of Confinement:	TEN(IU) TEARS INS			
THIS SENTEN	CE SHALL RUN CONCURRE	NTLY WITH CO	UNT ONE OF T	HIS CAUSE NUMBER.
SENTENCE OF	CONFINEMENT SUSPENDED, D	EFENDANT PLACED	ON COMMUNITY SU	PERVISION FOR N/A YEARS.
Fine:	Court Costs: R		stitution Payable to: VICTIM (see below)	AGENCY/AGENT (see below)
\$ 0.00 Sex Offender Regi	stration Requirements apply to			
	a at the time of the offense was ${\sf N}/$			
If De	fendant is to serve sentence in TDCJ.	enter incarceration peri		er.
	n 6/11/2009 to 6/18/2009 From	n 7/29/2010 to 7/29/2	010 From	to
Time From			to	
If De	pfendant is to serve sentence in county DAYS NOTES: N/A	jail or is given credit to	ward fine and costs, ente	er days credited below.
All pertinent informati	on, names and assessments indicated a	bove are incorporated i	ato the language of the ju	udgment below by reference.
This cause	was called for trial in Brazos Cour	ity, Texas. The Stat	e appeared by her Dis	trict Attorney.
Counsel/V	Waiver of Counsel (select one)			
Defendant appea	ared in person with Counsel. ingly, intelligently, and voluntarily	v waived the right to	representation by cou	insel in writing in open court.
Roth partie	a approunced ready for trial Defer	idant waived the rig	ht of trial by jury and	entered the plea indicated above.
The Court than adm	onished Defendant as required by	law. It appeared to	the Court that Detend	lant was mentally competent to
-td twint made th	e plea freely and voluntarily, and v Having heard the evidence submi	vas aware of the cons	sequences of this plea.	. The Court received the pien and
entered it of record.	nt, the Court pronounced sentence	against Defendant.	arvalvanierant British Wall	en de en
breagnes or Detenda	,	-		



Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 13 of 29

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. CODE CRIM. PROC. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and

restitution as indicated above.

Punishment Options (select one) Confinement in State Jail or Institutional Division. The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court ORDERS that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

County Jail-Confinement / Confinement in Lieu of Payment. The Court ORDERS Defendant immediately committed to the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court Orders that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

Fine Only Payment. The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Brazos County District Clerk. Once there, the Court Orders Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

□ The Court Orders Defendant's sentence EXECUTED.

☐ The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Signed and entered on the

JUDGE PRESIDING

2010

baird,g09-02494-erfcPage 130

Page 2 of 2



Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 14 of 29

CASE No. 09-02494-CRF-272 COUNT SIX INCIDENT NO /TRN: 9127679136

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ALI	Goroon

AUG 1 8 2010

	INCIDEN	41 140.7 11614	. 312/0/3130	1	1
THE STATE OF	TEXAS	§	In The 2	72 ND DISTRI	CT Pros 9191X TYPE
V.		§ §	Court)
GREGG BAIR	D	§ §	BRAZOS	COUNTY, TE	XAS
STATE ID No.: TX0	4840330	§ §			
JUDGM	ENT OF CONVICTION	BY CO	URT-WAI	VER OF J	URY TRIAL
Judge Presiding:	HON. TRAVIS BRYAN, III	Date Enter	Judgment red:	7/29/2010	-
Attorney for State:	SHANE PHELPS AND RAY	Y Attor Defer	ney for idant:	JIM JAMES	
Offense for which De	fendant Convicted:				
	F CHILD PORNOGRAPHY				
			¢. 000		
Charging Instrument INDICTMENT	<u></u>		for Offense:		
Date of Offense:		40.40(a) Penal Code	3	
5/13/2009					
Degree of Offense:		Plea to	Offense:	Findings	on Deadly Weapon;
3RD DEGREE F	FELONY	GUIL		N/A	on Deauly Weapon.
Terms of Plea Bargai		GOIL		14/23	
NONE-OPEN PI					
Plea to 1st Enhanceme	Take the second	Plea to 2nd F	nhancement/Habi	tual	The second second
Paragraph:	N/A	Paragraph:	THE TOTAL STATE OF THE STATE OF	N/A	
Findings on 1st Enhar		Findings on	2nd		- 11 - 11 - 11 - 11 - 11 - 11 - 11 - 1
Paragraph:	N/A	Enhancemen	nt/Habitual Paragr	raph: N/A	
Date Sentence Impose		Date Senten	ce to Commence:	7/29/2010	
Punishment and Place of Confinement:	TEN(10) YEARS INSTIT				
THIS SENTENC	E SHALL RUN CONCURRENTI	LY WITH (COUNT ONE	OF THIS CAU	JSE NUMBER.
SENTENCE OF	CONFINEMENT SUSPENDED, DEFE	NDANT PLAC	ED ON COMMUN	ITY SHPERVISIO	N FOR N/A VEARS
Fine:	Court Costs: Restit		Restitution Payab		NTORIVA TEARS.
\$ 0.00	\$ 4 \$				CY/AGENT (see below)
	tration Requirements apply to the				
	at the time of the offense was N/A .				
	ndant is to serve sentence in TDCJ, enter	incarceration r	periods in chronologie	cal order.	· · · · · · · · · · · · · · · · · · ·
		9/2010 to 7/29		to	
Time From	to From to	From	to		
Credited:	ndant is to serve sentence in county jail or			to onesa desarrada	41.7
21.17070	DAYS NOTES: N/A	is given cicuit	toward time and cost	is, enter days credit	ed below.
All pertinent information	, names and assessments indicated above a	are incorporate	d into the language o	of the judgment helo	w hy reference
This cause wa	s called for trial in Brazos County, T	exas. The St	ate appeared by h	er District Attorn	av
Counsel / Wa	niver of Counsel (select one)		are appeared by the	02 222001100 11000111	<i>-</i>
Defendant appeare	ed in person with Counsel.				
Defendant knowing	gly, intelligently, and voluntarily wai	ved the right	to representation	by counsel in writ	ing in open court.
The Court then admon	announced ready for trial. Defendant	waived the r	ight of trial by jur	y and entered the	plea indicated above.
stand trial, made the n	ished Defendant as required by law. lea freely and voluntarily, and was a	us appeared t	o the Court that D	elendant was me	ntally competent to
entered it of record. H	aving heard the evidence submitted,	the Court fou	nd Defendant guil	ty of the offense in	ndicated above. In the
presence of Defendant,	the Court pronounced sentence again	nst Defendan	t,	-, or one enemae i	AUTORIOG RIOAR' III PIIG

baird, g09-02494-crfct4 Page 131

Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 15 of 29

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. Code Crim. Proc. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

Punishment Options (select one)

Confinement in State Jail or Institutional Division. The Court Orders the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court Orders Defendant to be confined for the period and in the manner indicated above. The Court Orders Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court Orders that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

County Jail—Confinement / Confinement in Lieu of Payment. The Court Orders Defendant immediately committed to the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court Orders that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

Fine Only Payment. The punishment assessed against Defendant is for a fine Only. The Court Orders Defendant to pay or make immediately to the Office of the Brazos County District Clerk. Once there, the Court Orders Defendant to pay or make

arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

The Court Orders Defendant's sentence EXECUTED.

The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court Orders that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Signed and entered on the day of , 2010

JUDGE PRESIDING

CASE No. 09-02494-CRF-272 COUNT SEVEN

INCIDENT NO./TRN: 9127679136

AUG 1 8 2010

THE STATE	E OF TE	XAS		§	In The 272 ND	DISTRICT MARCHANIN DIRTCLERK
v.				8	Court	
GREGG B	BAIRD			% %	BRAZOS COU	UNTY, TEXAS
STATE ID NO	.: TX048	10330		§		=
Jui	DGME	NT OF CONVIC	TION BY	Cour	r-Waiver	OF JURY TRIAL
Judge Presidir	ng: H	ON. TRAVIS BRYAN	v, III	Date Judge Entered:	ment 7/29/	2010
Attorney for St	tate.	HANE PHELPS AN HOMAS	ND RAY	Attorney for Defendants	_ I I IVI .	JAMES
Offense for wh	ich Defen	dant Convicted:				
POSSESSI	ON OF	CHILD PORNOGR	APHY			
Charging Instr INDICTME				Statute for 0 43.26(a) P	ffense: enal Code	
Date of Offense 5/13/2009	e:				10.03	
Degree of Offer	nse:		,]	Plea to Offen	se:	Findings on Deadly Weapon;
3RD DEGR	REE FE	LONY		GUILTY		N/A
Terms of Plea I		A TO COURT			111111111111111111111111111111111111111	
Plea to 1st Enh	ancement		Plea	to 2nd Enhan	cement/Habitual	121 200 200 200
Paragraph:		N/A		graph:		N/A
Findings on 1st	^t Enhance	ment N/A		ings on 2 nd	Lå	27/4
Paragraph:		N/A	Епла	incement/Ha	bitual Paragraph:	N/A
Date Sentence		7/29/2010	Date	Sentence to	Commence: 7/29	0/2010
Punishment an of Confinement		TEN(10) YEARS	INSTITUTI	ONAL DI	VISION, TDC.	J
THIS SE	NTENCE S	SHALL RUN CONCUR	RENTLY W	лтн соц	NT ONE OF T	HIS CAUSE NUMBER.
SENTENC	CE OF CO	NFINEMENT SUSPENDE	D, DEFENDAN	T PLACED C	ON COMMUNITY SU	PERVISION FOR N/A YEARS.
Fine: \$ 0.00		Court Costs: \$	Restitution:		itution Payable to:	AGENCY/AGENT (see below)
	Registra	tion Requirements app				
					. CODE ORIM, I ROO.	chapter oz
The age of the		the time of the offense wa ant is to serve sentence in TI		protion noried	o in observatorizat and	
		1/2009 to 6/18/2009	From 7/29/201		. –	_
Time	From	to From	to	From	to	0
Credited:	If Defenda	ant is to serve sentence in co	unty jail or is giv	en credit towa	rd fine and costs, ente	r days credited below.
		DAYS NOTES: N/A			The second office	
All pertinent info		ames and assessments indica	ted above are inc	orporated into	the language of the ju	dgment below by reference.
		alled for trial in Brazos				
		er of Counsel (select o				

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court. Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the

presence of Defendant, the Court pronounced sentence against Defendant.

Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 17 of 29 FILED CASE NO. 09-02494-CRF-272 COUNT EIGHT DC o'clock INCIDENT NO./TRN: 9127679136 AUG 1 8 2010 IN THE 272ND DISTRICT THE STATE OF TEXAS § COURT v. **BRAZOS COUNTY, TEXAS** GREGG BAIRD STATE ID No.: TX04840330 JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL Date Judgment 7/29/2010 HON. TRAVIS BRYAN, III Judge Presiding: Entered: SHANE PHELPS AND RAY Attorney for JIM JAMES Attorney for State: Defendant: **THOMAS** Offense for which Defendant Convicted: POSSESSION OF CHILD PORNOGRAPHY Statute for Offense: Charging Instrument: 43.26(a) Penal Code INDICTMENT Date of Offense: 5/13/2009 Findings on Deadly Weapon: Plea to Offense: Degree of Offense: N/A GUILTY 3RD DEGREE FELONY Terms of Plea Bargain: NONE-OPEN PLEA TO COURT Plea to 2nd Enhancement/Habitual Plea to 1st Enhancement N/A N/A Paragraph: Paragraph: Findings on 2nd Findings on 1st Enhancement N/A Enhancement/Habitual Paragraph: N/A Paragraph: Date Sentence to Commence: 7/29/2010 7/29/2010 Date Sentence Imposed: Punishment and Place TEN(10) YEARS INSTITUTIONAL DIVISION, TDCJ of Confinement: THIS SENTENCE SHALL RUN CONCURRENTLY WITH COUNT ONE OF THIS CAUSE NUMBER. SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A YEARS. Restitution Payable to: Court Costs: Restitution: Fine: ☐ VICTIM (see below) ☐ AGENCY/AGENT (see below) \$ \$ \$ 0.00 Sex Offender Registration Requirements apply to the Defendant. Tex. Code Crim. Proc. chapter 62 The age of the victim at the time of the offense was N/A If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order. From 6/11/2009 to 6/18/2009 From 7/29/2010 to 7/29/2010 Time From From From Credited: If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below. DAYS NOTES: N/A All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Brazos County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one) Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court. Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the

presence of Defendant, the Court pronounced sentence against Defendant.

Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 18 of 29

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. Code Crim. Proc. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and

restitution as indicated above.

Punishment Options (select one)

Confinement in State Jail or Institutional Division. The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court ORDERS that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

County Jail—Confinement / Confinement in Lieu of Payment. The Court Orders Defendant immediately committed to the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court Orders that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

Fine Only Payment. The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Brazos County District Clerk. Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

The Court ORDERS Defendant's sentence EXECUTED.

The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court Orders that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Signed and entered on the _____day of _

JUDGE PRESIDING

2010

Case 4	:14-cv-02259 Doo CA	SE No. 09-024		72 Coun 127679136	r NINE	AUG 1 8 2010
THE STATE O	OF TEXAS		§	IN THE 2	272 ND I	DISTRICTOR'S TOWN CONDUCTION
v.			§ §	COURT)
GREGG BA	IRD		\$ \$	BRAZO	S Cour	NTY, TEXAS
STATE ID No.:	The state of the s		§			
JUD	GMENT OF CO	NVICTION	BY COUI	RTWA	IVER	OF JURY TRIAL
Judge Presiding	: Hon. TRAVIS	BRYAN, III	Date Ju Entered		7/29/2	2010
Attorney for Sta	te: SHANE PHEI	LPS AND RAY	Attorney Defenda	•	JIM J	AMES
Offense for which	h Defendant Convicted: N OF CHILD POR	NOGRAPHY				
Charging Instru	ment:		Statute for 43.26(a)	r Offense: Penal Co	de	
Date of Offense: 5/13/2009						
Degree of Offens	ee: EE FELONY		Plea to Of GUILT			Findings on Deadly Weapon: N/A
Terms of Plea B		T	40 - 24 - 41			
Plea to 1st Enha Paragraph:			Plea to 2 nd Enl Paragraph:	hancement/Ha	abitual	N/A
Findings on 1st l Paragraph:	Enhancement N/A		Findings on 2 ⁿ Enhancement		agraph;	N/A
Date Sentence I	mposed: 7/29/2010		Date Sentence	to Commenc	e: 7/29	/2010
Punishment and of Confinement:	1EN(10) 1	EARS INSTIT				
THIS SEN	TENCE SHALL RUN CO					HIS CAUSE NUMBER.
SENTENC			NDANT PLACE	D ON COMM	UNITY SU	PERVISION FOR N/A YEARS
Fine: \$ 0.00	\$	\$			ee below)	AGENCY/AGENT (see below
Sex Offender	Registration Requiren			TEX. CODE CH	им. Ркос.	chapter 62
The age of the v	ictim at the time of the o	offense was N/A		ata da ta abanana	laginal and	
	If Defendant is to serve sen From 6/11/2009 to 6/18/2		100 100 100 100 100 100 100 100 100 100			to
Time Credited:	From to	From to	From	to		
Otemed:	If Defendant is to serve sen		r is given credit t	toward fine and	costs, ente	r days credited below.

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Brazos County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

baird,g09-02494-crick4 age 137

Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 20 of 29

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. CODE CRIM. PROC. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and

restitution as indicated above.

Punishment Options (select one) M Confinement in State Jail or Institutional Division. The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court Orders Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court Orders that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court

County Jail-Confinement / Confinement in Lieu of Payment. The Court ORDERS Defendant immediately committed to the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

Fine Only Payment. The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Brazos County District Clerk. Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

The Court Orders Defendant's sentence executed.

The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court Orders that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Signed and entered on the

JUDGE PRESIDING

Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page

CASE No. 09-02494-CRF-272 COUNT TEN INCIDENT NO./TRN: 9127679136

AUG 1 8 2010 Deputy

IN THE 272ND DIST THE STATE OF TEXAS § COURT Ş V. **BRAZOS COUNTY, TEXAS GREGG BAIRD** STATE ID No.: TX04840330

JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL Date Judgment 7/29/2010 HON. TRAVIS BRYAN, III Judge Presiding: Entered: SHANE PHELPS AND RAY Attorney for JIM JAMES Attorney for State: Defendant: THOMAS Offense for which Defendant Convicted: POSSESSION OF CHILD PORNOGRAPHY Statute for Offense: Charging Instrument: 43.26(a) Penal Code INDICTMENT Date of Offense: 5/13/2009 Plea to Offense: Findings on Deadly Weapon: Degree of Offense: **GUILTY** N/A 3RD DEGREE FELONY Terms of Plea Bargain: NONE-OPEN PLEA TO COURT Plea to 2nd Enhancement/Habitual Plea to 1st Enhancement N/A N/A Paragraph: Paragraph: Findings on 2nd Findings on 1st Enhancement N/A N/A Enhancement/Habitual Paragraph: Paragraph: 7/29/2010 7/29/2010 Date Sentence to Commence: Date Sentence Imposed: Punishment and Place TEN(10) YEARS INSTITUTIONAL DIVISION, TDCJ of Confinement: THIS SENTENCE SHALL RUN CONCURRENTLY WITH COUNT ONE OF THIS CAUSE NUMBER. SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A YEARS. Court Costs: Restitution: Restitution Payable to: Fine: ☐ VICTIM (see below) ☐ AGENCY/AGENT (see below) \$ \$ 0.00 Sex Offender Registration Requirements apply to the Defendant. Tex. Code Crim. Proc. chapter 62 The age of the victim at the time of the offense was N/A If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order. From 7/29/2010 to 7/29/2010 From From 6/11/2009 to 6/18/2009 Time From From From Credited: If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below, DAYS NOTES: N/A All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference. This cause was called for trial in Brazos County, Texas. The State appeared by her District Attorney. Counsel / Waiver of Counsel (select one)

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court. Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

baird,g09-02494-crfc Page 139

Case 4:14-cv-02259 Document 10-8 Filed in TXSD on 10/31/14 Page 22 of 29

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of Tex. Code Crim. Proc. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and

restitution as indicated above.

Punishment Options (select one)

Confinement in State Jail or Institutional Division. The Court Orders the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court Orders Defendant to be confined for the period and in the manner indicated above. The Court Orders Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court Orders that upon release from confinement, Defendant proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

County Jail—Confinement / Confinement in Lieu of Payment. The Court Orders Defendant immediately committed to the custody of the Sheriff of Brazos County, Texas on the date the sentence is to commence. Defendant shall be confined in the Brazos County Jail for the period indicated above. The Court Orders that upon release from confinement, Defendant shall proceed immediately to the Brazos County Collections Department. Once there, the Court Orders Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

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Execution / Suspension of Sentence (select one)

□ The Court ORDERS Defendant's sentence EXECUTED.

The Court Orders Defendant's sentence of confinement SUSPENDED. The Court Orders Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Signed and entered on the ____ day of

TT JUDGE PRESIDING

2010

Subject: State vs. Gregg Baird; 09-02494-CRF-272 etc.

From: Lisa L Parker < lparker@co.brazos.tx.us>

Date: Wed, 04 Aug 2010 14:00:28 -0500

To: Denise MacKay <denise_mackay@prodigy.net> BCC: "tbb >> Travis Bryan" <tbbryaniii@hotmail.com>

Denise --

After reading Mr. Wetzel's letter, it appears that he intended for you to forward his letter to the other reporters. Consequently, I am attaching a scanned image of his letter for you to use in sending his letter to the other reporters. I know you have Kaetheryne's e-mail address but here are the other two e-mail addresses in case you need them:

Carolyn White: whitetex@verizon.net

Susan Rainwater: rainwater.reporter@gmail.com

Susan's mailing address is: 3708 E. 29th St. PMB 137, Bryan, Texas 77802-3901

Phone: (979) 209-4201

I ask that you comply with Mr. Wetzel's request to forward these to the other reporters. If you need any further information or assistance in this matter, please let me know.

Thank you Lisa

Lisa Parker Court Coordinator, 272nd District Court Brazos County, Texas Telephone: (979) 361-4219 Facsimile: (979) 361-4517

Wetzel letter - Gregg Baird.pdf

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AUG 1 8 2010

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		No. <u>09-02494-CRF-272</u>	- Count 1
THE	STATE OF TEXAS	8 IN	THE 272 ND DISTRICT COURT
Vs.		\$ \$ \$ 11	OTTIE 2/2 DISTRICT COURT
PAID	CDCCC CLEX	\$ \$	OF
DAIR	RD, GREGG CARL	\$	BRAZOS COUNTY, THALE DE
	COMMITME	ENT/RELEASE O	I A A
			AUG 1 8 2010
То:	The Sheriff of Brazos County, Texa	S	MARG HANLIN, DIST CLE
Brazo ' 2089 1	The above named defendant is ordered as County, Texas, effective at 4:05 relating to the offense(s) of POSS	OF CHIED PORNOGR	APHY 2010,
7	to serve a term of ten (10)	ds	NG/months/king
	in the Brazos County Jail	C.I. m	y or morting years.
	in the Institutional Division o in a State Jail Facility		f Criminal Justice
	as a condition of comr	nunity supervision	
	with referral to the Sta work release is authori	te Boot Camp	
	each SD M T v	ZCCI V Th E Co. from	
		c schedule attached	m. untilm,
	_ to be need in the Brazos County lail		
	without bail, until further order	r of this Court	
	until transported to a Substance	e Abuse Folony During	ent Facility
	ponding appeal Hom his convi	ction of a following	•
	until sufficient bail is posted in in cash or surety bond	the amount of \$	
	in personal bond form	Iorm	
	upon the attac	ched conditions	
	_ to be released from custody on the abo	ove charge(s)	without conditions
	CVEDIT FOR TIME SERVED		
	UPON RELEASE, Defendant is to repay court costs of \$ (4.35.	port to the Brazos County	District Clark (Callett
	pay court costs of \$ 6.35.60	===	District Clerk (Collections) to
7	lay-out court costs of \$	·····	
	TO RUN CONCURRENT WITH CO	unts 4,5,6,7,8	3,9 + 10 of this cause
	SPECIAL INSTRUCTIONS.		
	001000000000000000000000000000000000000	= CPF 04-02495	ix and all courts in
09-02446. CEF	09-02997 WF and	9-02+98 SEF W	Cft ' This Court O. I
12.45'd into	IGNED this the 29 day of J	Lly , 2009.	This Court Order was received on
•	-this	214	7/20/10
Count 1 of	(' / ~	3 B Thyping	
this caux-	residing J	udge	20
		/ /	Brazos County
			Sheriff's Office

	DC / FILED No. 09-02494-CRF-272 - Count Z
THE	STATE OF TEVA dato'clockM
VS.	AUG 1 8 2010 §
	MASC HAMLIN, DIST CLERK S OF
BAIR	AUG 1 8 2010 AUG 1 8 2010 S IN THE 272 ND DISTRICT COURT OF Deputy BRAZOS COUNTY, TEXAS
	COMMITMENT/RELEASE ORDER
To:	The Sheriff of Brazos County, Texas
Brazos 2010 r	The above named defendant is ordered committed to/released from the custody of the Sheriff of Scounty, Texas, effective at 4.05 a.m.(p.m) on the 294 day of POSS OF CHILD PORNOGRAPHY
	to serve a term of
	in the Brazos County Isil days/months/years:
	in the Institutional Division of the Texas Department of Criminal Justice
	in a State Jail Facility
	work release is authorized
	each SLIM TWITE Co. c
	each SUMTWThFSa from m. until m.
	according to the schedulem. uninmto be held in the Brazos County Jail
	without bail, until further order of this Court
	until transported to a Substance Alexander
	until transported to a Substance Abuse Felony Punishment Facility pending appeal from his conviction of a felony
•	until sufficient bail is posted in the amount of \$
	in cash or surety bond form
	in personal bond form
	Management Management of the Company
	to be released from custody on the above charge(s) without conditions
7	CREDIT FOR TIME SERVED
i	UPON RELEASE Defendant in to an annual and an annual an
	UPON RELEASE, Defendant is to report to the Brazos County District Clerk (Collections) to pay court costs of \$ 635.00 ; attorney fees of \$:
	fine of \$; restitution of \$;
	lay-out court costs of \$
*4	
	LOUNCELL DVI.
7	SPECIAL INSTRUCTIONS: La Kura Garage
	9 and lo

SIGNED this the 29th day of July, 2010.

This Court Order was received on 1/29/1/20

Brazos County
Sheriff's Office

CAUSE NO. 09.02494 CRF. 272
THE STATE OF TEXAS § IN THE 272 DISTRICT COURT © COUNTY COURT AT LAW NO. 1/2
VS. S OF BRAZOS COUNTY, TEXAS TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL O'Clock
I, Judge of the trial court, certify this criminal case: AS TO PUNISH AS TO BY THE LEAD BY THE COUNTY TO BY
is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial
and not withdrawn or waived, and the defendant has the right of appeal. [or]
a plea-bargain case, but the trial court has given permission to appeal, and the defendant
has the right of appeal. [or]
\square Is a plea-bargain case, and the defendant has NO right of appeal. [or]
The defendant has waived the right of appeal.
I have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a pro se petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeal's judgment and opinion to my last known address and that I have only 30 days in which to file a pro se petition for discretionary review in the court of appeals. TEX. R. APP. P. 68.2 I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a pro se petition for discretionary review. Defendant (if polyrengeented by coursel) Defendant's Counsel
Meiling address: State Bar of Texas ID number: 2 1236360
Telephone number: Fax number (if any): Telephone number: Telephone number:

^{* &}quot;A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case – that is, a case in which a defendant's plea was guilty or noto contendre and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant — a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal." TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).

No. 07-0249	
THE STATE OF TEXAS COONT O	NE 272ND
VS.	IN THE 2720 DISTRICT COURT
0 0 1 X	OF DC3 RECEIVED
Gregg Baird X	BRAZOS COUNTY TRY
REQUEST TO CONSIDER UNAD	ALIDAC CAMPAGA
	Walker County, Taxon A
I, the undersigned defendant hereby admit my guilt to th	e following unadjudicated offenses:
CAUSE # COURT COUNTY CH	PROSECUTOR'S
1.09-02492 CRF-272 Cts.1-4 Brazos	Poss, Child Porn, x4 SPP
2.09-02493-CRF-272 CIS. 1-3 Brazos	Post child Parm, x4
3.09-02494-CRF-272 Cts. 11-13 Brazos	Post chief 2
4.09-02495-CRF-272 Cts 1-20 Brazos	Pay Child 2 2
5.09-02496-CEF-272 Cts. 1-20 Brezos	Pars. Child Parn. x 20
and request that the court take into account the offenses in	,
numbered cause.	t determining sentence in the above entitled and
DATE: $3/1/10$	Wal .
//	ENENDANT
	100
APPROVED BY:	FENDANT'S ATTORNERC FILED
18R1 -	Ato'clock PM
ASST./DISTRICT ATTORNEY	AUG 1 8 2010
	By HAMEN DIST CLERK
ORDER BARRING PROSECUTION AND	RELEASE FROM CHARGES
On this day, the court having heard the above named defend	double the manager
set forth in the Request to Consider Unadjudicated Offenses and	uant admit his guilt to the unadjudicated offenses
by his signature affixed thereto;	ine prosecuting attorney having consented thereto
It is hereby ordered, adjudged and decreed that prosecution	of 4h l
orth in the said request is hereby barred in accordance with 12	of the above named defendant for the offenses set
rom the charges enumerated above.	.43 1.P.C. and the defendant is ordered released
Standard 30	/o .
ate's Ex No	B. (Sergen 17)
100	GE, 272 DISTRICT COURT
HITE-CLERK ELLOW-DISTRICT ATTORNEY	
INK-VICTIM	
OLDENROD-JAIL OPY TO EACH COURT IN WHICH CASE IS ENUMERATED (in Co.) B. C. Page 14	Kight Thumb. Date: 07-29-10
E3 Deft Page 14	8 15

NO. 09-02494-CRF-212	
THE STATE OF THE AS	
X IN THE DISTRICT COURT	
VS. X OF DC 3 RECEIVED	М
Gregg Board X BRAZOS COUNTY, TEXAS MAR 1 1 2010	
REQUEST TO CONSIDER UNADJUDICATED OFFENSES MARE HAMLIN, DIST CLERK	Ì
I, the undersigned defendant hereby admit my guilt to the following unadjudicated offenses:	ty
<u>CAUSE</u> # <u>COURT</u> <u>COUNTY</u> <u>CHARGE</u> PROSECUTOR'S <u>APPROVAL</u>	
1.09-02497-CRF-272 Cts.1-20 Brazos Poss. Child Porn. x20 Sff 2.09-02498-CRF-272 Cts.1-20 Brazos Poss. Child Porn. x20 Sff	
-3. 1"	
4.	ř
-5.	
and request that the court take into account the offenses in determining sentence in the above entitled and	
numbered cause.	
DATE: 3/1/10	
DEFENDANT	
\bigcap \bigcap	
	7
APPROXED BY:	
AUG 1 8 2010	
ASST./DISTRICT ATTORNEY	
By Mayos County) 18 Seput	1
ORDER BARRING PROSECUTION AND RELEASE FROM CHARGES	
On this day, the court having heard the above named defendant admit his guilt to the unadjudicated offenses	
set forth in the Request to Consider Unadjudicated Offenses and the prosecuting attorney having consented thereto	
by his signature affixed thereto;	
It is hereby ordered, adjudged and decreed that prosecution of the above named defendant for the offenses set	
forth in the said request is hereby barred in accordance with 12.45 T.P.C. and the defendant is ordered released	
from the charges enumerated above.	
Signed this 29 day of July , 20 0.	
State's EXNO	
2 4	
JUDGE, 272 DISTRICY COURT	
WHITE-CLERK YELLOW-DISTRICT ATTORNEY	
PINK-VICTIM GOLDENROD-JAIL COPY TO EACH COURT IN WHICH CASE IS ENLIMED TO THE PARTY OF THE PAR	
Court IT WHICH CASE IS ENOWIERATED (In Court)	-
ST.EX. #4 DefPage 149;	